

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE**

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POSITRON PUBLIC SAFETY SYSTEMS CORP.,)  
NKA INTRADO SYSTEMS CORP., )  
A GEORGIA CORPORATION, )  
 )  
 Plaintiff, ) Civil Action No.: 3:11-cv-91  
 )  
 v. )  
 )  
 DEWAYNE HOLLOWAY, )  
 )  
 Defendant. )  
 )  
 And related Counterclaim. )

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**PARTIES' PROPOSED RULE 26(f) REPORT**

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Come now the parties, by and through counsel, and pursuant to F.R.C.P. Rule 26(f), file the following Report of the Planning Meeting:

1. Planning Meeting: The meeting was held on August 17, 2011 in this cause. Present representing Plaintiff Positron Public Safety Systems Corp nka Intrado Systems Corp. ("Plaintiff") was Kenneth M. Wentz III of Jackson Lewis, LLP. Present representing Defendant Dewayne Holloway ("Defendant") were W. Mitchell Cramer and David Luhn of Norton, Spangler & Cramer, P.C.

2. Initial Disclosures. The parties have not yet exchanged their disclosures pursuant to F.R.C.P. Rule 26(a)(1), but will do so by the close of business on September 13, 2011.

3. Discovery Plan. The parties jointly propose to the Court the following:

a. The parties will endeavor in good faith to commence all discovery in time to be completed as called for in the Scheduling Order.

b. Supplementation of discovery responses under Rule 26(e) shall be due as

necessary.

c. No special limitation on or phasing of, discovery is deemed necessary at this time, other than as provided in the Scheduling Order and as follows:

- (i) A list of all plaintiff's potential witnesses shall be provided to defendant by January 27, 2012.
- (ii) A list of defendant's potential witnesses shall be provided to plaintiff by February 27, 2012.
- (iii) A list of all counter plaintiff's potential witnesses shall be provided to counter defendant by March 2, 2012.
- (iv) A list of all counter defendant's potential witnesses shall be provided to counter plaintiff by April 2, 1012.

d. There are no jurisdictional issues at this time.

4. Other Items:

All other matters, including deadlines for joinder of additional parties and for filing dispositive motions, shall be governed by the Scheduling Order.

The possibility of settlement is unknown at the present time.

Protective orders may be necessary in this case as it will involve confidential employment records and potential trade secret and confidential information.

Respectfully submitted this 8<sup>th</sup> day of September, 2011.

O. John Norris, III (TN BPR No. 017504)  
Kenneth M. Wentz III, *pro hac vice*  
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Attorney for Defendant/Counter-Plaintiff

By: /s/ O. John Norris, III

By: /s/ W. Mitchell Cramer

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DEWAYNE HOLLOWAY, )  
 )  
Defendant. )

**CERTIFICATE OF SERVICE**

I certify that on September 8, 2011, I electronically filed the foregoing **PARTIES'** **PROPOSED RULE 26(f) REPORT** with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

W. Mitchell Cramer (TN Bar No. 001584)  
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/s/ O. John Norris, III  
O. John Norris, III

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